

REMARKS

Claims 1, 3-10 and 16-19 are pending.

Claims 1, 4-7, 9, 10 and 17-18 are amended.

Claim Objection and 35 USC 112, second paragraph

Claims 1, 4-7, 9, 17 and 18 are objected to.

Claims 1, 4, 7 and 18 are amended to define x in SiO_x. Support for this amendment may be found on page 2, line 19.

Claim 5 is amended to define z for SiO_z. Support for this amendment may be found on page 2, line 25.

Claim 6 has been amended to depend from claim 1.

Claim 7 is amended to delete the optionality of (b).

Claim 9 is amended to delete the "and" in line 4 after "graphite as suggested by the examiner.

Claim 17 is amended to delete the terms especially.

Claim 18 has amended to replace "y" with "z".

Claims 1, 7, 8 and 18 have been further amended to replace "substantially consisting of" with "consisting essentially of"

Claim 10 is amended to delete "the" in from of ink-jet printing method and replace with "an".
No new matter has been added.

The Applicants believe the claim objections and 35 USC 112, second paragraph rejections are overcome and respectfully requests reconsideration.

35 USC 103 (a)

Claims 1, 4-7, 10, 17 and 18 are rejected under 35 USC 103(a) as being unpatentable over Bujard, US 5,766,335 (D2) in view of Hermann, US 6,294,592 (D1).

Claims 1, 3, 10, and 16 are rejected under 35 USC 103(a) as being unpatentable over Schmid, US 5,624,486 (D3) in view of Hermann, US 6, 294,592 (D1).

Double Patenting Rejection

Claims 1 and 7-9 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 10 of U.S. 7,223,472 (D4) in view of Hermann, US 6,294,592 (D1).

Hermann (D1) pertains to a pigment preparation containing a **finely divided** organic or inorganic pigment, a dispersing agent, a binder, a photoinitiator and water (claim 1). The pigment can be among many others metallic effect pigments based on coated metal platelets and pearl luster pigments based on mica platelets coated with metal oxide (col. 3, l. 41-43). The pigment preparations of D1 are advantageously useful as inks in the ink-jet process (col. 10, l. 42-43).

D1 emphasizes that the pigments present in the pigment preparations of D1 should be **very finely divided** and that it is preferred that 95%, preferably 99%, of the pigment particles have a particle size of $\leq 1 \mu\text{m}$ (col. 3, l. 51-54). Moreover inks for ink-jet inks have to meet a whole series of requirement as outlined on col. 1, l. 21-35 including "must not lead to blockage of the printer nozzle".

Consequently, D2 teaches that small very finely divided pigments only are suitable for ink-jet printing.

D2-D4 pertain to platelet-shaped pigments which contain a core with a coating (D2, claim 1, D3, claim 1 and D4, claim 1). The platelet-shaped pigments as of D2-D4 can be used in printing inks (D2, claim 34, D3, col. 8, l. 46, D4, col. 4, l. 34). D2-D4 are completely silent about ink-jet printing.

The pigments as of D2-D4 are large in size. The pigments of D2 are at least $1 \mu\text{m}$ in size (D3, col. 3, l. 5). The pigments of D3 are at least $1 \mu\text{m}$, in particular at least $5 \mu\text{m}$ in size (col. 3, l. 65-67). The pigments of D4 are at least $2 \mu\text{m}$ in size (D4, claim 1).

The present invention pertains to an ink composition for an ink-jet printing method, which ink comprises

- a) certain metallic or non-metallic, inorganic platelet-shaped particles having an **average particle diameter of at least 2 μ m**,
- b) a dispersant and
- c) a binder.

The pigments as of our invention are much larger in size than the pigments as of D1.

As D1 teaches that small pigments only are suitable for ink-jet printing a person skilled in the art would not combine the teaching of D1 with the teaching of any of D2-D4. As all the rejections above require D1, the applicants believe all the 103 rejections and the double patenting rejections are overcome.

Reconsideration and withdrawal of the rejection of claims 3-10 and 16-19 is respectfully solicited in light of the remarks and amendments *supra*.

Since there are no other grounds of objection or rejection, passage of this application to issue with claims 3-10 and 16-19 is earnestly solicited.

Applicants submit that the present application is in condition for allowance. In the event that minor amendments will further prosecution, Applicants request that the examiner contact the undersigned representative.

Respectfully submitted,



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